

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

1

The Minutes

May 21, 2007

At 9:29 a.m., the court met in the Library and Courts Building to begin its court calendar session. Present were Davis, Associate Justice; Hull, Associate Justice; Cantil-Sakauye, Associate Justice; and Harper, bailiff.

C051802 THE PEOPLE v. KNOX

Cause called. Heather J. MacKay, court appointed counsel, argued for appellant. Patrick J. Whalen, Deputy Attorney General, argued for respondent. Cause submitted.

At 9:51 a.m., the court recessed. At 9:56 a.m., the court reconvened with Sims, Associate Justice; Nicholson, Associate Justice; and Hull, Associate Justice.

C049736 THE PEOPLE v. JACKSON

Cause called. Barry L. Morris argued for appellant. Maggy Krell, Deputy Attorney General, argued for respondent. Cause submitted.

At 10:23 a.m., the court recessed. At 10:25 a.m., the court reconvened with Nicholson, Associate Justice; Raye, Associate Justice; and Hull, Associate Justice.

C052968 DHOOT v. DHOOT et al.

Cause called. Sandra J. Shapiro argued for appellants. Robert R. Riggs argued for respondent. Cause submitted.

At 10:55 a.m., the court recessed. At 10:59 a.m., the court reconvened with Nicholson, Associate Justice; Hull, Associate Justice; and Cantil-Sakauye, Associate Justice.

C050417 TROPPMANN et al. v. ESTATE OF FLAHERTY

Cause called. Daniel V. Kohls argued for appellant. C. Blaine Morley argued for respondents. Cause submitted.

At 11:29 a.m., the court recessed. At 11:33 a.m., the court reconvened with Nicholson, Associate Justice; Morrison, Associate Justice; and Cantil-Sakauye, Associate Justice.

C053784 SAREEN v. SAREEN

Cause called. C. Athena Roussos argued for appellant. Douglas S. Srulowitz argued for respondent. Cause submitted.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

2

The Minutes

May 21, 2007, continued

At 12:08 p.m., the court recessed. At 2:04 p.m., the court reconvened with Scotland, Presiding Justice; Robie, Associate Justice; and Butz, Associate Justice.

C050376 KATIUZHINSKY et al. v. PERRY et al.

Cause called. Jay-Allen Eisen argued for appellants. Suzanne M. Nicholson, argued for respondents. Cause submitted.

C051921 LIVINGSTON, Shasta County Public Guardian, as Conservator, etc. v. BARRY S.

Cause called. Paul M. Bernstein argued for appellant. Adam M. Pressman, Deputy County Counsel, argued for respondent. Cause submitted.

At 3:11 p.m., the court recessed. At 3:18 p.m., the court reconvened with Davis, Associate Justice; Robie, Associate Justice; and Butz, Associate Justice.

C047837 BRITTALIA VENTURES v. STUKE NURSERY COMPANY, INC.

Consolidated with:

C048252 BRITTALIA VENTURES v. STUKE NURSERY COMPANY, INC.

And

C049334 BRITTALIA VENTURES v. STUKE NURSERY COMPANY, INC.

Cause called. Amy Margolin argued for appellant. William H. Parish argued for respondent. Cause submitted.

At 4:21 p.m., the court recessed until, 9:30 a.m., Monday, June 18, 2007.

C048424 THE PEOPLE v. HALL et al. (Not for Publication)

The judgment is affirmed.

HULL, J.

We Concur: Nicholson, Acting P.J.
Morrison, J.

C049276 THE PEOPLE v. JONES (Not for Publication)

The judgment is affirmed.

HULL, J.

We Concur: Davis, Acting P.J.
Raye, J.

C051048 THE PEOPLE v. RODRIGUEZ (Not for Publication)

The judgment is affirmed.

HULL, J.

We Concur: Scotland, P.J.
Robie, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

3

The Minutes

May 21, 2007, continued

- C052719 THE PEOPLE v. HALL (Not for Publication)**
Inasmuch as there are no issues raised by defendant's appeal which remain to be resolved, the appeal is dismissed as moot.
SCOTLAND, P.J.
We Concur: Nicholson, J.
Raye, J.
- C053404 THE PEOPLE v. LACK (Not for Publication)**
The judgment is modified... The trial court is further directed to send a certified copy of the amended abstract of judgment to the Department of Corrections and Rehabilitation.
SCOTLAND, P.J.
We Concur: Nicholson, J.
Raye, J.
- C052050 STRAIT v. HEALTH NET, INC. (Not for Publication)**
The judgment is affirmed. Plaintiff shall pay defendant's costs of this appeal...
MORRISON, J.
I concur: Nicholson, J.
I concur in the result:
Scotland, P.J.
- C053396 PREMIER CAPITAL LLC. v. NORTH AIRCRAFT SERVICES, INC. et al.**
The trial court orders granting the motion to set aside the default and default judgment and the motion to quash service of summons are affirmed as to Gary North and reversed as to Kerrie North and North Aircraft. The parties shall bear their own costs on appeal...
CANTIL-SAKAUYE, J.
We Concur: Nicholson, Acting P.J.
Butz, J.

May 22, 2007

- C051660 THE PEOPLE v. GOODMAN (Not for Publication)**
Defendant's conviction is affirmed. The matter is remanded in accordance with the views expressed herein for a determination as to whether she is entitled to custody credits for time spent in substance abuse rehabilitation with the Eagle Recovery Residential Program... As modified, the judgment is affirmed.
BUTZ, J.
We Concur: Morrison, Acting P.J.
Robie, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

4

The Minutes

May 22, 2007, continued

C052487 THE PEOPLE v. STONE (Not for Publication)

The order revoking probation is affirmed.

BUTZ, J.

We Concur: Davis, Acting P.J.
 Nicholson, J.

C052922 THE PEOPLE v. NOONKESTER (Not for Publication)

The judgment (order) is affirmed.

HULL, J.

We Concur: Davis, Acting P.J.
 Cantil-Sakauye, J.

C053243 THE PEOPLE v. BRUCH (Not for Publication)

The judgment is affirmed.

BUTZ, J.

We Concur: Scotland, P.J.
 Hull, J.

C051154 In re CURTIS T.; THE PEOPLE v. CURTIS T. (Not for Publication)

The judgment of the juvenile court is affirmed.

BUTZ, J.

We Concur: Davis, Acting P.J.
 Nicholson, J.

May 23, 2007

C051987 THE PEOPLE v. ALLEN (Not for Publication)

The judgment is affirmed.

ROBIE, J.

We Concur: Scotland, P.J.
 Raye, J.

C052335 THE PEOPLE v. WORTHINGTON (Not for Publication)

The judgment is affirmed.

RAYE, J.

We Concur: Hull, J.
 Robie, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

5

The Minutes

May 23, 2007, continued

- C052714 THE PEOPLE v. CLANCY, JR. (Not for Publication)**
The judgment is affirmed.
BUTZ, J.
We Concur: Nicholson, Acting P.J.
Cantil-Sakauye, J.
- C053131 THE PEOPLE v. MEJIA (Not for Publication)**
The judgment is affirmed.
HULL, Acting P.J.
We Concur: Robie, J.
Butz, J.
- C051657 KING v. UNITED PARCEL SERVICE, INC., et al. (Not for Publication)**
The judgment is affirmed.
RAYE, J.
We Concur: Nicholson, Acting P.J.
Hull, J.

May 24, 2007

- C051926 THE PEOPLE v. WALKER (Not for Publication)**
The judgment is affirmed.
CANTIL-SAKAUYE, J.
We Concur: Blease, Acting P.J.
Morrison, J.
- C052194 THE PEOPLE v. HICKS (Not for Publication)**
The judgment is affirmed.
ROBIE, J.
We Concur: Scotland, P.J.
Morrison, J.
- C051234 FIELDS v. FIELDS (Not for Publication)**
The postjudgment order is affirmed.
BUTZ, J.
We Concur: Sims, Acting P.J.
Cantil-Sakauye, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

6

The Minutes

May 24, 2007, continued

C052673 O'DEA v. BUNNELL et al. (CERTIFIED FOR PUBLICATION)

The judgment is affirmed. Defendants shall recover their costs on appeal...

ROBIE, J.

We Concur: Scotland, P.J.
Raye, J.

**C053926 In re M.W.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND
HUMAN SERVICES v. J.M. (Not for Publication)**

The orders terminating appellant's parental rights are reversed and the matter is remanded for the limited purpose of compliance with the ICWA...

NICHOLSON, J.

We Concur: Scotland, P.J.
Raye, J.

C050639 THE PEOPLE v. KAO

BY THE COURT:

Appellant's petition for rehearing is denied.

SCOTLAND, P.J.

May 25, 2007

C050683 THE PEOPLE v. GUNDER (CERTIFIED FOR PUBLICATION)

The judgment is affirmed.

DAVIS, J.

We Concur: Blease, Acting P.J.
Raye, J.

C051823 THE PEOPLE v. SALDANA (Not for Publication)

The judgment is affirmed. The trial court is ordered to prepare an amended abstract of judgment... The trial court is further directed to forward a certified copy of the amended abstract of judgment to the Department of Corrections and Rehabilitation.

ROBIE, J.

We Concur: Nicholson, Acting P.J.
Raye, J.

C052798 THE PEOPLE v. GALLANT (Not for Publication)

The judgment is affirmed...

DAVIS, J.

We Concur: Blease, Acting P.J.
Morrison, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

7

The Minutes

May 25, 2007, continued

- C053517 THE PEOPLE v. GUINN (Not for Publication)**
The trial court is directed to prepare an amended abstract of judgment...
The judgment is affirmed.
DAVIS, J.
We Concur: Blease, Acting P.J.
 Morrison, J.
- C053667 GARCIA v. DEPARTMENT OF FORESTRY AND FIRE PROTECTION et al.**
C053793 JASSO v. DEPARTMENT OF FORESTRY AND FIRE PROTECTION et al.
The judgment is affirmed.
RAYE, J.
We Concur: Blease, Acting P.J.
 Hull, J.
- C054357 In re CHEVY R.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND**
HUMAN SERVICES v. CLAUDIA C.
C054928 In re CANIELA R.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH
AND HUMAN SERVICES v. CLAUDIA C.
BY THE COURT:
Appellant's motion for consolidation of the above cases is granted... The
cases will be considered for decision together.
SCOTLAND, P.J.